

REMARKS

Applicant submitted Formal Drawings in the present case on October 3, 2003. In a November 14, 2003 Office communication, the drawings were objected to by the Draftsperson under 37 CFR 1.84 and/or 1.152. Applicant has reviewed Draftsperson's objections and has amended the drawings to overcome the Draftsperson's objections. In addition, Applicant has amended the specification to reflect these amendments to the drawings. As such, Applicant respectfully requests acceptance of the proposed amendments. Additionally, Applicant has submitted revised Formal Drawings (incorporating the above-identified amendments) for reconsideration and approval by the Draftsperson.

In the November 14, 2003 Office communication, the Draftsperson maintained the following objections to the drawings submitted on October 3, 2003:

- "Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) **ALL**"; and
- "Numbers and reference characters not plain and legible. Fig(s) **2A, 2D, 3, and 4B.**"

In responding to this communication, the Applicant has deleted drawings 2A, 2D, and 4B to overcome the stated objection. In addition, Applicant has amended Figure 3 to overcome the stated objection. Applicant has amended the specification to reflect these amendments to the drawings. Further, Applicant has reviewed all drawings to remove any "[e]rasures, alterations, overwritings, interlineations, folds, copy machine marks".

With this Supplemental Preliminary Amendment, the Applicant submits a "marked-up" version of the amended drawings (with the amendments shown in red ink) and a clean version of each amended figure. With these amendments, Applicant has added no new matter. The amendments to the drawings were made solely to bring the drawings into conformance with the Draftsperson's objections. Further, the amendments to the specification were made solely to reflect the amendments to the drawings.

Additionally, Applicant has filed herewith revised Formal Drawings which incorporate the above-identified amendments. Applicant respectfully requests reconsideration and allowance of the revised Formal Drawings.

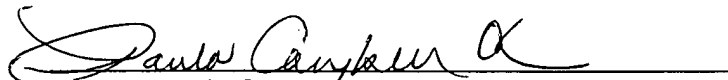
Serial No.: 09/781,016

Page 7

If the Examiner believes that a telephone conversation with Applicant's attorney/agent would expedite prosecution of this application, the Draftsperson is cordially invited to call the undersigned attorney/agent of record.

Respectfully submitted,

Date: February 17, 2004



Name: Paula Campbell Evans

Registration No.: 32,503

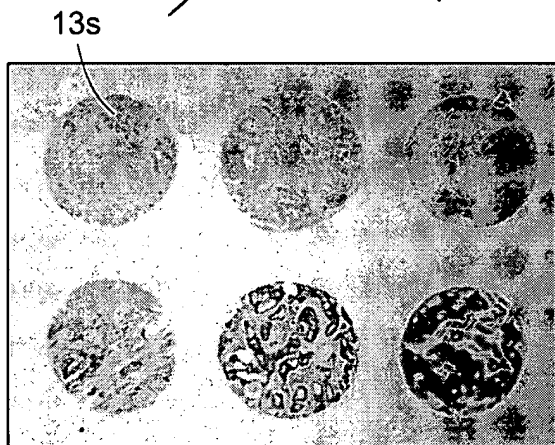
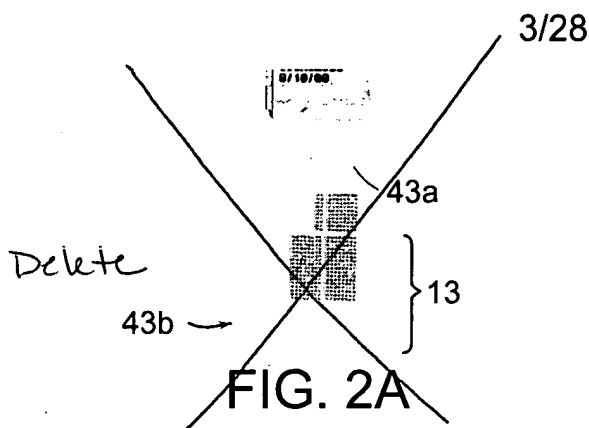
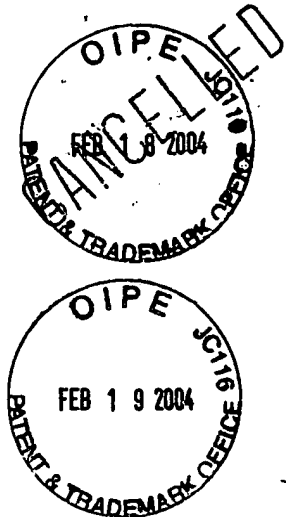
Customer No.: 29932

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel. (617) 239-0100



SIX TISSUE ELEMENTS FROM A PathWork™ BreastArray BR50 STAINED WITH CK7 SHOWING SELECTIVE STAINING (400X). TISSUE ELEMENTS ARE 0.6mm DIAMETER AND SPACED 0.3mm APART.

FIG. 2C 2B

	45								
46	1	2	3	4	5	6	7	8	
a	0	0	0	0	0	0	0	0	45s
b	0	0	0	0	0	0	0	0	
c	0	0	0	0	0	0	0	0	
d	0	0	0	0	0	0	0	0	A
e	0	0	0	0	0	0	0	0	
f	0	0	0	0	0	0	0	0	
a	0	0	0	0	0	0	0	0	B
b	0	0	0	0	0	0	0	0	
c	0	0	0	0	0	0	0	0	

FIG. 2B 2A

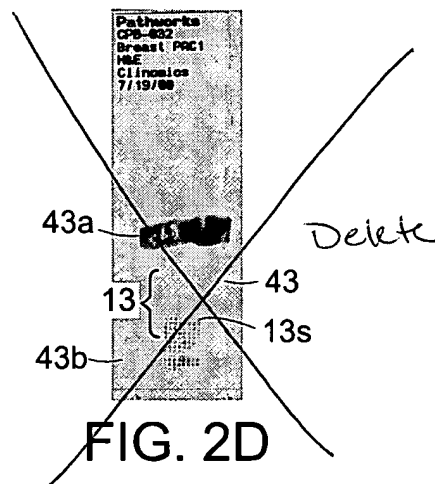
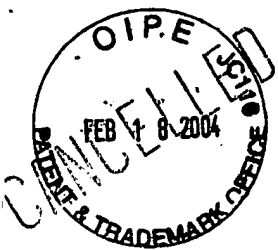


FIG. 2D

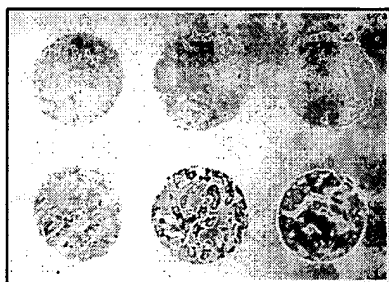
SAMPLE DATA SHEET INFORMATION (FOR ONE TISSUE ELEMENT, LOCATED AT A1) PROVIDED WITH EVERY PathWorks™ Tissue MicroArray

CAT. #	BR50	MITOSES:	1
LOT #	07	PT:	1
COORDINATES:	A1a	pN:	0
ORGAN:	BREAST	LN POS	0
CATEGORY:	BREAST CANCER, DUCTAL	LN ALL	23
SEX:	F	TUMOR DIA.	15
AGE:	67	SURGERY:	MASTECTOMY
BRE GRADE:	G2		
TUBULI:	3		
POLYMORPHY:	3		

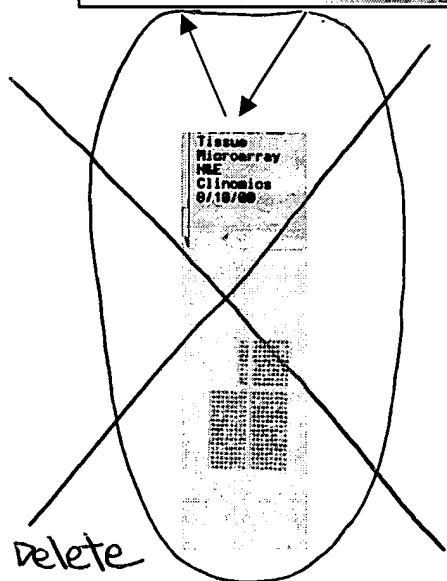
FIG. 2E 2C



4/28



TISSUE MicroArrays



- DEVELOPMENT OF POPULATION DATABASES
- HIGH-THROUGHPUT IN SITU ANALYSIS OF DNA, RNA AND PROTEIN
- DISCOVERY OF DIAGNOSTIC AND PROGNOSTIC CORRELATIONS
- TARGET PRIORITIZATION

FIG. 3



6/28

Delete

FIG. 4B

BIOREPOSITORY DATABASE

Microsoft Excel- Book1

File Edit View Insert Format Tools Data Window Help

75% Arial 10

F3 = Breast cancer, ductal

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
ID	Coordina tes	Tissue Type	Age	Sex	Histology	pT	pN	Nodeles All	Nodes Pos	Diameter	Surgery	Resected Margin	Stage		
1					Breast cancer, ductal										
2	744	Breast	67	F	Breast cancer, ductal	1	0	23	0	1.5cm	Mastecto my		1		
3	745	Breast	31	F	Breast cancer, ductal	2	1	20	3	2.5cm	Mastecto my		2		
4	746	Breast	85	F	Breast cancer, ductal	2	x			4.0cm	Mastecto my		2		
5	747	Breast	65	F	Breast cancer, cribriform	2	x			2.9cm	Lumpecto my		2		
6	748	Breast	76	F	Breast cancer, ductal	1	x			1.0cm	Lumpecto my		1		
7	749	Breast	70	F	Breast cancer, ductal	2	0	12	0	2.7cm	Lumpecto my		2		
8	750	Breast	67	F	Breast cancer, ductal	1	1	9	3	1.5cm	Lumpecto my		2		
9	751	Breast	69	F	Breast cancer, tubular	2	x			2.3cm	Lumpecto my		2		
10	752	Breast	42	F	Breast cancer, ductal	1	1	17	10	4.0cm	Lumpecto my		2		
11	753	Breast	67	F	Breast cancer, ductal	1	0	20	0	1.0cm	Mastecto my		1		
12															
13															

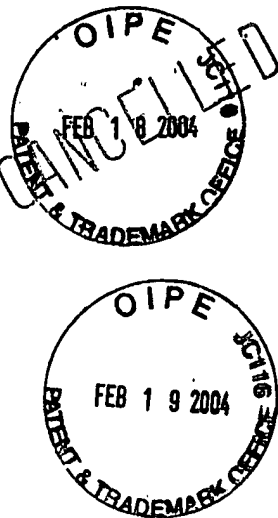
Ready

Sheet 1 / Sheet 2 / Sheet 3

Start

NUM

10:54 DM



BIOREPOSITORY DATABASE

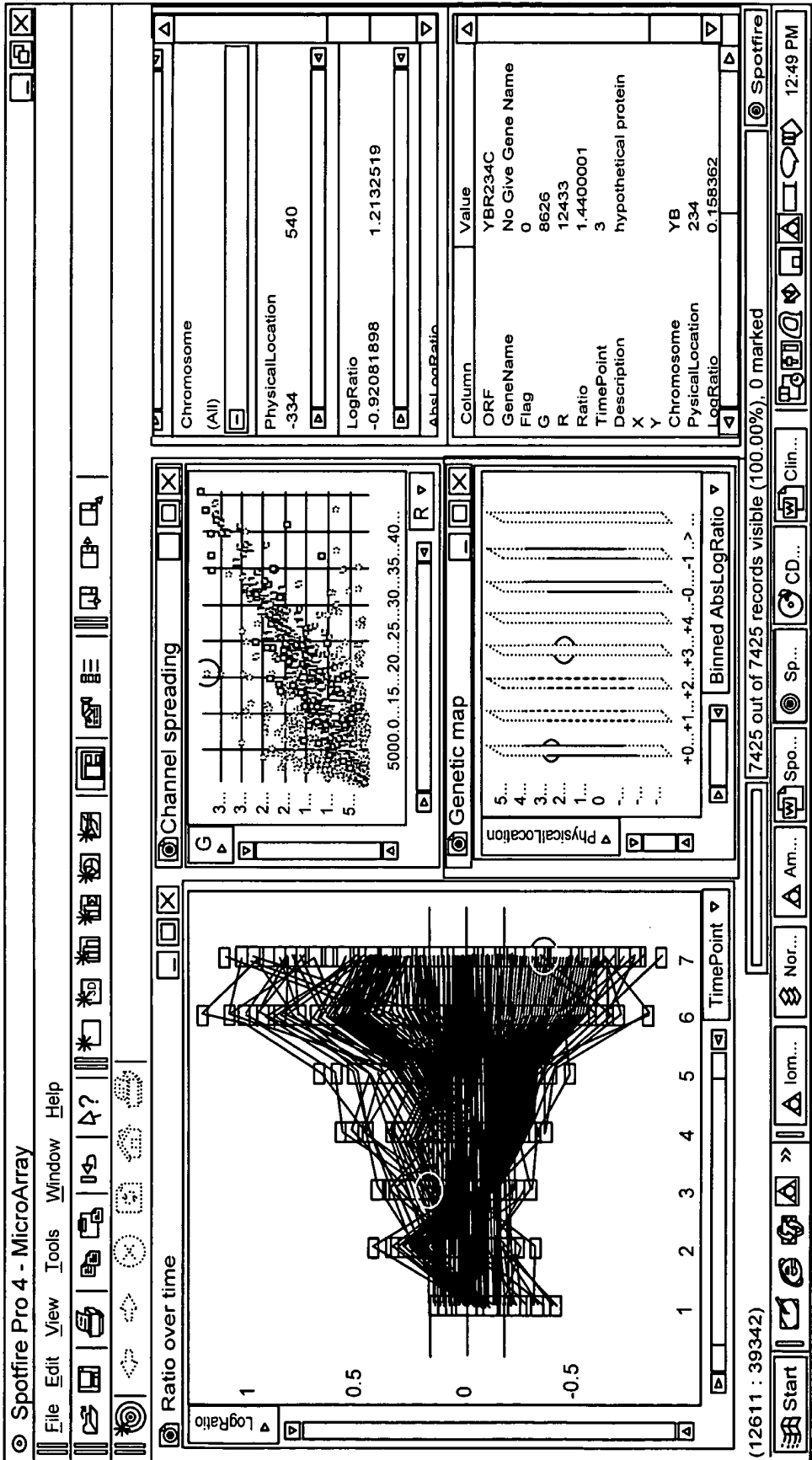


FIG. 4C-48

SORTING AND SELECTION OF PATIENT POPULATIONS
CLUSTER ANALYSIS
DEVELOPMENT OF EXPRESSION PROFILES VS MEDICAL DATA